

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the matter of the Application of SBC California  
(U 1001 C) for Authority Pursuant to Public  
Utilities Code Section 851 to Lease Space to SBC  
Services, Inc.

Application 03-02-026  
(Filed February 20, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING  
GRANTING PROTECTIVE ORDER**

**Summary**

I grant the motion of SBC California ("SBC" or "Applicant") for a protective order covering its application to lease space pursuant to Pub. Util. Code § 851 to SBC Services, Inc. (the "Application"), the Matrix of Proposed Space Leases attached as Exhibit A to the Application (the "Matrix"), the Declaration of John C. Barnes attached as Exhibit B to the Application (the "Barnes Declaration") and the Motion of SBC California for Interim Authority Pursuant to § 851 (the "Interim Authority Motion").

**Background**

Pursuant to Section 583 of the Public Utilities Code<sup>1</sup> and General Order No. 66-C,<sup>2</sup> upon a showing of good cause therefore, the Commission may order

---

<sup>1</sup> Section 583 reads in relevant part: No information furnished to the commission by a public utility, or any business which is a subsidiary or affiliate of a public utility, or a corporation which holds a controlling interest in a public utility, except those matters specifically required to be open to public inspection by this part, shall be open to public inspection or made public except on order of the commission, or by the commission or a commissioner in the course of a hearing or proceeding.

confidential information submitted to it to be sealed and not open to public inspection. SBC filed the Application for Commission approval of the installation of new equipment on SBC property by SBC Services Inc. The new equipment is necessary to improve the security of SBC's Operations Center support systems. The Application and supporting documents contain sensitive information concerning security issues whose disclosure to unauthorized persons could result in damage to the telephone system including system outages. Applicant asserts that public disclosure of this private confidential information would damage its competitive and financial positions.

### **Discussion**

I grant SBC's motion. Pursuant to the terms of General Order 66-C, a protective order is appropriate when an applicant would be placed at an unfair business disadvantage as a result of public disclosure of data required by the Commission in connection with an application.

**IT IS RULED** that SBC's motion for a protective order is granted to the extent set forth:

- A. The Application, the Matrix, the Barnes Declaration and the Interim Authority Motion shall remain under seal for a period of two years from the date of this ruling. During that period, the foregoing documents shall not be made

---

<sup>2</sup> General Order 66-C reads in relevant part:

#### **2. EXCLUSIONS**

Public records not open to public inspection include

(2.2) Records or information of a confidential nature furnished to, or obtained by the Commission. Such records or information shall include, but not be limited to:

- b) Reports, records, and information requested or required by the Commission which, if revealed, would place the regulated company at an unfair business disadvantage.

accessible or be disclosed to anyone other than Commission staff except on the further order or ruling of the Commission, the Assigned Commissioner, the assigned Administrative Law Judge (ALJ), or the ALJ then designated as Law and Motion Judge.

- B. If Applicant believes that further protection of this information is needed after two years, it may file a motion stating the justification for further withholding the material from public inspection, or for such other relief as the 30 days before the expiration of this protective order.

Dated February 26, 2003, at San Francisco, California.

/s/ Karl J. Bemesderfer  
\_\_\_\_\_  
Karl J. Bemesderfer  
Administrative Law Judge

## CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Protective Order on all parties of record in this proceeding or their attorneys of record.

Dated February 26, 2003, at San Francisco, California.

/s Antonina V. Swansen  
Antonina V. Swansen

## N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

\*\*\*\*\*

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.